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United States Supreme Court

Term, 1965

No. 436

EDWARD TIESI,

Petitioner,

v.

STATE OF NEW JERSEY,

Respondent.

PETITION FOR A WRIT OF CERTIORARI TO THE SUPREME COURT OF THE UNITED STATES

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PETITION FOR A WRIT OF CERTIORARI TO THE SUPREME COURT OF THE STATE OF NEW JERSEY

The attorney for the petitioner, Edward Tiesi, prays that a writ of certiorari issue to review the judgment of the Supreme Court of the State of New Jersey.

Opinions Below

No written opinions. The Appellate Division of the New Jersey Superior Court affirmed the trial court, per curiam. The New Jersey Supreme Court denied certiorari during September Term 1964 at Docket No. C-102.

Jurisdiction

The judgment of the Supreme Court of the State of New Jersey was entered on the 12th day of May, 1965 (infra Appendix A, p. 51a). It is final by its terms. The jurisdiction of this Court is invoked under 28 U.S. Code 1257 (3).

Question Presented

1. Does not the fact that an incriminating statement was elicted by police from the defendant after he was indicted and while he was handcuffed and being brought from Pennsylvania to New Jersey, without the presence of counsel, and was admitted over the defendant's counsel's objection, and in addition that the defendant was not advised of his right to remain silent, deprive the defendant of his constitutional rights, and render the statement involuntary and warrant a reversal?